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PTO/SB/52 (10-05)

Approved for use through 04/30/2007. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**SUPPLEMENTAL REISSUE APPLICATION  
DECLARATION BY THE ASSIGNEE**

Docket Number (optional)  
91082

I hereby declare that:

The residence, mailing address and citizenship of the inventors are stated below.

I am authorized to act on behalf of the following assignee: Andrew Corporation

and the title of my position with said assignee is: Vice President, Law and Secretary

The entire title to the patent identified below is vested in said assignee.

Inventor Peter Mailandt	Citizenship US
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Residence/Mailing Address 8635 North Stemmons Freeway, Dallas, Texas
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Inventor Tan Huynh	Citizenship US
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Residence/Mailing Address 2809 Naples Drives, Hurst, Texas
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☐ Additional Inventors are named on separately numbered sheets attached hereto.

Patent Number 5,917,455	Date of Patent Issued June 29, 1999
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I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled:

Electrically Variable Beam Tilt Antenna

the specification of which

☐ is attached hereto.

☒ was filed on December 29, 2003 as reissue application number 10/747,818

and was amended on 11/8/05 and 12/21/04

(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☒ by reason of a defective specification or drawing.

☐ by reason of the patentee claiming more or less than he had the right to claim in the patent

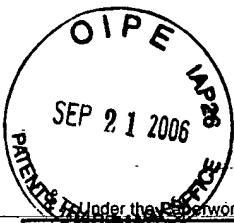
☐ by reason of other errors.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**SUPPLEMENTAL REISSUE APPLICATION  
DECLARATION BY THE ASSIGNEE**

Docket Number (Optional)  
91082

At least one error upon which reissue is based is described as follows:

See attached sheet

[Attach additional sheets, if needed.]

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. Every error in the patent which was corrected in the present application, and is not covered by a prior oath/declaration submitted with this application, arose without any deceptive intention on the part of the applicant.

I hereby appoint:

☒ Practitioners associated with Customer Number: 24628  
OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Correspondence Address: Direct all communications about the application to:

☒ The address associated with Customer Number: 24628  
OR

☐ Firm or  
Individual  
Name

Address

City

State

Zip

Country

Telephone

Email

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signature

*James F. Petelle*

Date

7 Sept. 2006

Full name of person signing (given name, family name)

James F. Petelle

Address of Assignee

Andrew Corporation, 10500 West 153<sup>rd</sup> Street, Orland Park, IL 60462 (prior address); 3 Westbrook Corporate Center, Suite 900, Westchester, IL (new address)

**First Continuation Sheet From Page 2 of**  
**Reissue Application Declaration by the Assignee**

At least one error upon which the subject non-broadening reissue application is based is described below:

We believe that the original Patent No. 5,917,455 (The '455 Patent) is partly inoperative or invalid by reason of a defective specification. I further believe that the '455 patent is partly inoperative or invalid due to an error which was committed without any deceptive intent. This reissue application is based on the error that, for example, issued claim 1 contained in the original '455 patent is defective in that it claims:

1. An antenna assembly having an operating frequency and a vertical radiation pattern with a main lobe axis defining a downtilt angle with respect to the earth's surface, the antenna assembly comprising:

a plurality of antenna means in first, second, and third antenna groups disposed along a backplane, the backplane having a longitudinal axis along which the antenna means are disposed;

phase adjustment means disposed between the second and third antenna groups configured to simultaneously advance a phase angle of a signal to one of said second and third antenna groups and delay the phase angle of said signal to the other of said second and third antenna groups;

such that adjustment of the phase adjustment means results in variation of the vertical radiation pattern downtilt angle.

instead of claiming, as stated in claim 1 as amended below and submitted herewith:

1. (once amended) An antenna assembly having an operating frequency and a vertical radiation pattern with a main lobe axis defining a downtilt angle with respect to the earth's surface, the antenna assembly comprising:

a plurality of antenna means in first, second, and third antenna groups disposed along a backplane, the backplane having a longitudinal axis along which the antenna means are disposed;

phase adjustment means disposed between the first [second] and third antenna groups configured to simultaneously advance a phase angle of a signal to one of said first [second] and third antenna groups and delay the phase angle of said signal to the other of said first [second] and third antenna groups;

such that adjustment of the phase adjustment means results in variation of the vertical radiation pattern downtilt angle.



91082

## CERTIFICATE UNDER 37 C.F.R. 3.73(b)

Inventors: Tan D. Huynh and Peter MailandtApplication No.: 08/747,627 Filed: November 13, 1996Entitled: Electrically Variable Beam Tilt AntennaAndrew Corporation a corporation of Delaware  
(Name of Assignee) (Type of Assignee, e.g. corporation, partnership, university, government, agency, etc.)

certifies that it is the assignee of the entire right, title, and interest in the patent application identified above by the virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: Tan D. Huynh To: Allen Telecom Group, Inc.

The document was recorded in the Patent and Trademark Office at Reel 008304, Frame 0931, or for which a copy thereof is attached.

2. From: Peter Mailandt To: Allen Telecom Group, Inc.

The document was recorded in the Patent and Trademark Office at Reel 008304, Frame 0931, or for which a copy thereof is attached.

3. From: Allen Telecom Group, Inc. To: Allen Telecom Inc. (via merger and change of name)  
the document was recorded in the Patent and Trademark Office at Reel 008400, Frame 0477

4. From: Allen Telecom Inc. To: Adirondacks, LLC  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

5. From: Adirondacks, LLC To: Allen Telecom LLC (via merger and name change), a copy of which is attached

6. From: Allen Telecom LLC To: Andrew Corporation, a copy of which is attached

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

7 Sept. 2006  
Date

James F. Petelle

[Signature]  
Signature

Vice President Law and Secretary

91082

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Reissue Appln. of U.S. Pat. No. 5,917,455      Group No.:      Not yet assigned

Applicant:      Huynh and Mailandt      Examiner:      Not yet assigned

Serial No.:      Not yet assigned

Filed:      Herewith

Attorney

Docket No.:      7836-91082

For: ELECTRICALLY VARIABLE  
BEAM TILT ANTENNA

ASSENT OF ASSIGNEE TO REISSUE APPLICATION

Mail Stop Reissue  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

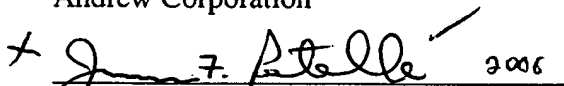
Sir or Madam:

Andrew Corporation is the assignee of the entire right, title and interest in this reissue application, which is based on Patent No. 5,917,455, issued June 29, 1999, by virtue of a chain of title from the inventor of the subject matter disclosed and claimed in this application as set forth hereafter. The assignment documents evidence the transfer from Tan D. Huynh and Peter Mailandt (inventors) to Allen Telecom Group, Inc., then from Allen Telecom Group, Inc. to Allen Telecom Inc. (via merger and change of name), then from Allen Telecom Inc. to Adirondacks, LLC, then from Adirondacks, LLC to Allen Telecom LLC (via merger name change), and then from Allen Telecom LLC to Andrew Corporation.

I have reviewed all the documents in the chain of title of this application and, to the best of my knowledge and belief, title is in the above-referenced assignee. I aver that I am empowered to sign this document on behalf of Andrew Corporation. I understand that Andrew Corporation also assents to this reissue application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Andrew Corporation

\*  2006  
By: James F. Petelle

Title: Vice President, Law and Secretary